

FILED

November 5 2009

DA09-0614

Original
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

FORM TO BE USED BY PRISONERS REQUESTING TO

PROCEED WITHOUT PREPAYMENT OF COSTS

(IN FORMA PAUPERIS)

FILED

NOV - 5 2009

NAME: Lawrence Roedel

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

PRISON NUMBER: 2110712

PLACE OF CONFINEMENT: CCA Shelby

CRIMINAL CAUSE NUMBER: DV -08-1313(B)

Lawrence Roedel,
(List all Plaintiffs/Petitioners/Movants)

v.

State of Montana
(List all Defendants/Respondents).

Instructions

1. Use this form if you are filing a legal document in state district court or the Montana Supreme Court and you cannot pay the filing fee. File this form when you file your legal pleading - not before.
2. ATTACH AN OFFICIAL COPY OF YOUR INMATE TRUST ACCOUNT STATEMENT TO THIS FORM.
3. You must tell the truth and sign the form. If you make a false statement of a material fact you may be prosecuted for perjury.
4. If you are allowed to proceed *in forma pauperis*, you may file your legal documents without prepayment of costs. It does not mean you are entitled to free transcripts or the appointment of counsel.

MOTION AND AFFIDAVIT TO PROCEED WITHOUT
PREPAYMENT OF COSTS (IN FORMA PAUPERIS)

1. My name is Lawrence Riedel

I am the (check one) ☒ petitioner/plaintiff
 ☐ defendant
 ☐ other (explain) _____

2. In support of my request to proceed without prepayment of costs, I declare that I am unable to pay the costs of these proceedings and that I am entitled to relief in the action to which I am or will be a party.

3. In support of this motion, I answer the following questions under penalty of perjury.

4. Are you currently incarcerated? ☒ Yes ☐ No

5. Are you currently employed? ☒ Yes ☐ No

a. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer:

approximately 18⁰⁰ per month less restitution.

employer - CCA / DOC

b. If no, state the date of your last employment and the amount of salary or wages per month:

Self-Employed plus Social Security. wages and
or income 3600⁰⁰ per month

6. In the past 12 months, have you received any money from any of the following sources?

- | | |
|---|---|
| a. business, profession or other self-employment | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| b. rent payments, interests or dividends | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| c. pensions, annuities or life insurance payments | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

- d. disability or workers compensation payments Yes [] No [X]
e. social security or retirement benefits Yes [] No [X]
f. family or friends Yes [] No [X]
g. gifts or inheritances Yes [] No [X]
h. any other sources (specify) prison worker Yes [X] No []

If the answer to any of the above is yes, describe each source of money, state the amount received during the past 12 months, the frequency with which you receive it, and what you expect you will continue to receive:

prison work = 18⁰⁰ per month less restitution

7. Do you have any cash, or any checking or savings accounts?

Yes [] No [X]

If yes, state the total value of the cash and/or accounts:

8. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes [] No [X]

If yes, describe the property and state its value: _____

9. List the persons who are dependent on you for support and state your relationship to each person. Indicate how much you contribute to their support:

Shandi Roedel, Kassie Roedel - supported through
social security, amount unknown

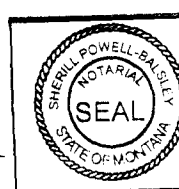
DATED this 28 day of October, 2009.

Lawrence Roedel
Signature of Applicant (sign in presence of notary)

SUBSCRIBED and SWORN to before me this 28 day of October,
2009, by Lawrence Roedel (name of Applicant).

Sherill Powell-Balsley
Signature notary

Sherill Powell-Balsley
Name - typed, stamped or printed
Notary Public for the State of Montana
Residing at Shelby
My commission expires 8-20-2012.



SHERILL POWELL-BALSLEY
NOTARY PUBLIC for the
State of Montana
Residing at Shelby, Montana
My Commission Expires
August 20, 2012

LET THE APPLICANT PROCEED WITHOUT PREPAYMENT OF COSTS.

(District Judge or Supreme Court)

I, BONNIE MECKLING am the keeper of the accounting records for CCA-
Crossroads Correctional Center. I hereby certify that the attached copy the account
of LAWRENCE ROEDEL AO# 2110712
is true and accurate.

Signature of certified: Bonnie Meckling Date: 10-26-09

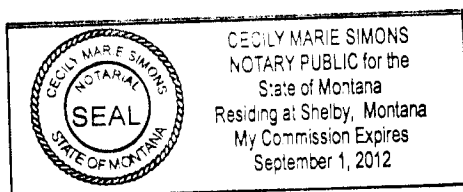
Notary Public:

State of Montana
County of Texte

Signed or attested before me on 10-26-09 by Bonnie Meckling

Signature of Notary Officer: Cecily Marie Simons

Commission Expires: 9/01/12



10/26/2009

Crossroads Correctional Center Resident Activity Statement

Resident Name: ROEDEL, LAWRENCE

Housing Location: CCC,CCC,1,D,10,1

Date Range:

04/01/2009 Through 10/27/2009

Beginning Account Balances:

Ending Account Balances:

	Personal Balance	Non-Per Balance	Debt		Personal Balance
Rstitution	\$0.00	\$0.00	(\$1,846.28)	Rstitution	\$0.00
Trust	\$0.98	\$0.00	\$0.00	Trust	\$14.41
Begin Totals	\$0.98	\$0.00	(\$1,846.28)	End Totals	\$14.41

Date	Amount	Type	Comment	Personal Bal Change	Personal Acct Balance	Non-Personal Change	Non-Personal Balance
04/10/2009	(\$0.84)	Sale	Debit Sale	(\$0.84)	\$0.14	\$0.00	
04/10/2009	\$31.68	Resident Deposit	Inmate Pay March 2009	\$26.40	\$26.54	\$5.28	
04/10/2009	(\$0.17)	Transfer Other Funds	postage 3/17/09	(\$0.17)	\$26.37	\$0.00	
04/10/2009	(\$2.36)	Transfer Other Funds	postage 3/27/09	(\$2.36)	\$24.01	\$0.00	
04/10/2009	(\$0.17)	Transfer Other Funds	postge 4/10/09	(\$0.17)	\$23.84	\$0.00	
04/17/2009	(\$22.52)	Sale	Debit Sale	(\$22.52)	\$1.32	\$0.00	
04/30/2009	(\$5.28)	Group Withdrawal	CCC 4/1/09-4/30/09 Restitution	\$0.00	\$1.32	(\$5.28)	
05/11/2009	\$24.80	Resident Deposit	Inmate Pay-April '09	\$20.66	\$21.98	\$4.14	
05/11/2009	\$0.84	Sale	credited no show	\$0.84	\$22.82	\$0.00	
05/12/2009	(\$4.14)	Group Withdrawal	CCC 5/11/09 Restitution	\$0.00	\$22.82	(\$4.14)	
05/15/2009	(\$21.94)	Sale	Debit Sale	(\$21.94)	\$0.88	\$0.00	
06/10/2009	\$29.80	Resident Deposit	Inmate Pay- May 2009	\$24.83	\$25.71	\$4.97	
06/10/2009	(\$4.95)	Transfer Other Funds	postage 6/3/09	(\$4.95)	\$20.76	\$0.00	
06/10/2009	(\$5.45)	Transfer Other Funds	postage 5/20/09	(\$5.45)	\$15.31	\$0.00	
06/11/2009	(\$4.97)	Group Withdrawal	CCC 6/11/09 Restitution	\$0.00	\$15.31	(\$4.97)	
06/12/2009	(\$1.80)	Sale	Debit Sale	(\$1.80)	\$13.51	\$0.00	
06/19/2009	(\$12.25)	Sale	Debit Sale	(\$12.25)	\$1.26	\$0.00	
07/09/2009	\$31.78	Resident Deposit	CCC June Wages	\$26.48	\$27.74	\$5.30	

07/14/2009	(\$5.30) Group Withdrawal	CCC 7/14/09 Restitution	\$0.00	\$27.74	(\$5.30)
07/17/2009	(\$17.82) Sale	Debit Sale	(\$17.82)	\$9.92	\$0.00
07/24/2009	(\$9.38) Sale	Debit Sale	(\$9.38)	\$0.54	\$0.00
07/30/2009	(\$0.50) Resident Withdrawal	William J Jameson Law Library	(\$0.50)	\$0.04	\$0.00
08/10/2009	\$35.64 Resident Deposit	Inmate Pay - July 2009	\$29.70	\$29.74	\$5.94
08/11/2009	(\$5.94) Group Withdrawal	CCC 8/11/09 Restitution	\$0.00	\$29.74	(\$5.94)
08/14/2009	(\$9.82) Sale	Debit Sale	(\$9.82)	\$19.92	\$0.00
08/20/2009	(\$10.00) Transfer Other Funds	copy card	(\$10.00)	\$9.92	\$0.00
08/21/2009	(\$8.20) Sale	Debit Sale	(\$8.20)	\$1.72	\$0.00
09/10/2009	\$30.84 Resident Deposit	Inmate Pay	\$25.70	\$27.42	\$5.14
09/10/2009	(\$1.90) Transfer Other Funds	postage 8/20/09	(\$1.90)	\$25.52	\$0.00
09/11/2009	(\$12.65) Sale	Debit Sale	(\$12.65)	\$12.87	\$0.00
09/11/2009	(\$5.14) Group Withdrawal	CCC 9/11/09 Restitution	\$0.00	\$12.87	(\$5.14)
09/16/2009	(\$6.00) Transfer Other Funds	copy card	(\$6.00)	\$6.87	\$0.00
09/22/2009	(\$2.00) Transfer Other Funds	copy card	(\$2.00)	\$4.87	\$0.00
10/08/2009	\$0.00 Change Housing	Automated Housing Change	\$0.00	\$4.87	\$0.00
10/12/2009	\$32.72 Resident Deposit	Inmate Pay	\$27.26	\$32.13	\$5.46
10/13/2009	\$0.00 Change Housing	Automated Housing Change	\$0.00	\$32.13	\$0.00
10/13/2009	(\$5.19) Transfer Other Funds	postage 9/17/09	(\$5.19)	\$26.94	\$0.00
10/14/2009	(\$5.46) Group Withdrawal	CCC 10/14/09 Restitution	\$0.00	\$26.94	(\$5.46)
10/16/2009	(\$3.15) Sale	Debit Sale	(\$3.15)	\$23.79	\$0.00
10/21/2009	(\$0.34) Transfer Other Funds	postage 10/15/09	(\$0.34)	\$23.45	\$0.00
10/21/2009	(\$1.50) Transfer Other Funds	copy card	(\$1.50)	\$21.95	\$0.00
10/23/2009	(\$7.54) Sale	Debit Sale	(\$7.54)	\$14.41	\$0.00

On appeal: Lawrence F. Roedel

Petitioner prays that the court incorporate the criminal case file, appoint counsel, order the State to respond, set an evidentiary hearing, and grant any other relief to which Petitioner is entitled.

VERIFICATION

STATE OF MONTANA)

: SS.

County of Toole)

I, the petitioner above named, states as follows:

I have read the foregoing petition for postconviction relief and know the contents thereof, and the same is true of my own knowledge, information and belief.

DATED this 28th day of October, 2009.

Success Breed
(Signature of Petitioner)